

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Aviation Rulemaking Advisory Committee**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of withdrawal of task assignment to the Aviation Rulemaking Advisory Committee (ARAC).

**SUMMARY:** The FAA has withdrawn a task assigned to the Aviation Rulemaking Advisory Committee (ARAC) concerning all weather operations. This notice is to inform the public of the FAA's decision to withdraw this task.

**FOR FURTHER INFORMATION CONTACT:** Brenda D. Courtney, Manager, Aircraft and Airport Rules Division, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, [brenda.courtney@faa.gov](mailto:brenda.courtney@faa.gov).

**SUPPLEMENTARY INFORMATION:****Background**

The FAA established ARAC to provide advice and recommendations to the FAA Administrator on the FAA's rulemaking activities. This includes obtaining advice and recommendations on the FAA's commitments to harmonize Title 14 of the Code of Federal Regulations (14 CFR) with its partners in Europe and Canada.

On November 26, 2003, the FAA published a notice in the **Federal Register** (68 FR 66524) informing the public of ARAC's acceptance of a new task, and its decision to assign the task to the All Weather Operations Harmonization Working Group. Over the years since assigning this task to ARAC, the working group has provided support to the FAA, other civil aviation authorities and the International Civil Aviation Organization (ICAO). This collaborative effort has brought about standardized and harmonized systems and processes such as the Enhanced Flight Vision System and use of radar altimeters in Europe. The working group has also provided support to the ICAO Operations Panel and provided updates to the All Weather Operations Manual for ICAO. These efforts are important to the FAA and other civil aviation authorities; however, they are not tasks typically assigned to ARAC. As such, the FAA has decided to continue these efforts under a different venue. We anticipate establishing a separate committee charged to work collaboratively among the international aviation community, the FAA and other

civil aviation authorities to ensure regulatory standards and policies related to all weather operations activities are standardized and harmonized in the interest of safety, and global economic efficiencies.

Withdrawal of the all weather operations task completes the activities that were assigned to ARAC's Air Carrier Operations Technical Subject Area. Because the FAA does not intend to assign any additional tasks to this technical area, the Air Carrier Operations Technical Subject Area is closed. The FAA has vetted the withdrawal of this task and our decision to close the Air Carrier Operations Technical Subject Area with the ARAC.

Issued in Washington, DC, on February 13, 2012.

**Pamela Hamilton-Powell,**

*Executive Director, Aviation Rulemaking Advisory Committee.*

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**DEPARTMENT OF TRANSPORTATION****Federal Railroad Administration**

**[Docket Number FRA-2001-10237]**

**Petition for Waiver of Compliance**

In accordance with Part 211 of Title 49 of the Code of Federal Regulations (CFR), this document provides the public notice that by a document dated February 1, 2012, the Port of Los Angeles, with the cooperation and input of Pacific Harbor Line (PHL), has petitioned the Federal Railroad Administration (FRA) for an extension of its waivers of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 217, Railroad Operating Rules; part 220, Railroad Communications; part 221, Rear End Marking Device—Passenger, Commuter and Freight Trains; part 223, Safety Glazing Standards—Locomotives, Passenger Cars and Caboose; part 225, Railroad Accidents/Incidents: Reports Classification, and Investigations; part 228, Hours of Service of Railroad Employees; Recordkeeping and Reporting; Sleeping Quarters; part 228, Subpart A—General, and Subpart B—Records and Reporting; part 229, Railroad Locomotive Safety Standards; part 231, Railroad Safety Appliance Standards; part 238, Passenger Equipment Safety Standards; and part 239, Passenger Train Emergency Preparedness. FRA assigned the petition Docket Number FRA-2001-10237.

The Port of Los Angeles explained that their request is consistent with the

waiver process for shared use. See Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light Rail and Conventional Equipment, 65 FR 42529 (July 10, 2000); see also Joint Statement of Agency Policy Concerning Shared Use of the Tracks of the General Railroad System by Conventional Railroads and Light Rail Transit Systems, 65 FR 42626 (July 10, 2000). The Port of Los Angeles received its initial waiver and permission from FRA on May 8, 2002. The Port of Los Angeles was granted a 5-year extension of the terms and conditions of the original waiver on April 24, 2007.

The Port of Los Angeles stated in its most recent petition that it desires to continue the operation of the Red Car Line under the same rules, procedures, and directives as originally prescribed and granted by FRA. The Port of Los Angeles operates the "Waterfront Red Car Line" over 1.5 miles of PHL track, located in the Port of Los Angeles. Freight and vintage trolley operations are temporally separated on this portion of track. PHL no longer services Westway Terminal's tank farm on this portion of track.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov) and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590.